

YARRA PRIMARY SCHOOL

WORKING WITH CHILDREN POLICY

CHANGE HISTORY

Version	Issued	Key Changes	Review
2.0	2019	Aligned with the Working with Children Act 2005	February 2021

RATIONALE

The Working with Children Check is a minimum checking standard, set by the *Working with Children Act 2005*, for those who work with children on a paid or voluntary basis. All nonteaching staff (including YOSH), volunteers at Yarra Primary School are required to obtain a Working with Children Check (WWCC) Card, administered and provided by the Department of Justice. It is an offence under the Act to engage in 'child-related work' without having obtained a WWCC check, this includes volunteers. Penalties apply to both employer and employee if procedures are not followed.

The WWCC aims to assist in protecting children from sexual or physical harm by verifying that the staff members, student teachers, volunteers, and relevant contractors do not have any relevant criminal offences or findings from professional disciplinary bodies. It is designed to complement supervision and training practices (including rigorous reference checking). However, a volunteer or non-teaching employee's occupation may exempt them from the requirement to have a WWCC card (e.g. police officers, teachers). Evidence to support their claim to an exemption must be provided to the school.

Commencement at Yarra Primary School is conditional upon receipt of a successful WWCC.

POLICY STATEMENT

A WWCC is required for positions that meet all of the following criteria:

1. involve contact with children in connection with Yarra Primary School
2. contact happens on a regular (everyday) basis
3. involve **direct contact** with children and this contact is not **directly supervised**
4. does not qualify for an exemption as listed under the Working with Children Act.

A non-teaching staff member or volunteer is required to undertake a WWCC check even if they have already completed a police records check. Not all criminal offences are relevant to the WWCC check. Broadly, the WWCC check considers serious sexual and violent drug offences.

Any queries should be directed to the Principal. Applicants who are required to undergo a WWCC as a condition of working in the School will not be able to receive reimbursement for the cost from the school.

This policy was developed to detail Yarra Primary School's responsibilities:

- a. identify all staff who require a WWCC
- b. ensure existing staff and volunteers are informed of the requirement to undergo the check
- c. ensure prospective staff and volunteers have passed a WWC **before commencement**
- d. check the card's validity on the Department of Justice website
- e. have a photocopy of the WWC card and maintain an up to date WWCC school register (if individual is a staff member, copy to be kept on their personnel file)
- f. ensure suitable monitoring procedures are in place to ensure staff members hold a valid WWCC card at all times.

In addition to a WWCC, the school may also consider it necessary that a criminal record check be conducted through the Department. This may occur when possible offences (e.g. dishonesty offences) are relevant to the duties of the non-teaching employee, student teachers, relevant contractors or volunteer which are not part of the WWCC check. The payment of these criminal records checks is the responsibility of the applicant.

If the applicant passes the check, they will receive a successful Assessment Notice, followed by a WWCC card 2-3 weeks later. If the applicant does not pass the check, they will receive an Interim Negative Notice. The applicant can then make a submission to the Department of Justice to explain why they believe they should pass. If this submission is not successful, the applicant will be issued with a Negative Notice. This means they have failed the WWCC and cannot volunteer and/or work at Yarra Primary School.

IMPLEMENTATION

The WWCC card is:

- valid for five years (unless revoked)
- paid by individual non-teaching staff and is transferable within the school system
- free of charge for volunteers but cannot be used for paid employment
- transferable between volunteer organisations.

Note: WWCC checks originally obtained for paid employment can be used to show suitability for volunteer work.

The non-teaching staff member, volunteer, student teacher, and prospective staff is responsible for:

- completing and submitting a Working with Children Check application form
- providing the successful WWCC card prior to commencement at Yarra Primary School
- notifying the office if there has been a relevant change in circumstances (e.g. if they have been charged or found guilty of a new relevant offence)
- apply for a new WWCC before their card expires.

During the five-year term of the WWCC card, the cardholder will continue to be checked for new relevant offences or disciplinary findings from professional bodies such as the Victorian Institute of Teaching.

Yarra Primary School keeps copies of each WWCC card as per the Staff Registers Policy. The WWCC register will be updated with new card holders and expiry dates by administration staff as required.

DEFINITIONS

A **volunteer** is a person who, without payment or reward, engages in:

- school council functions
- activities for the welfare of the school at the requests of the principal or school council
- work within the school environment (e.g. help on excursions, within the classrooms or school grounds, kitchen garden program, school sport programs, etc.).

A **non-teaching employee** is a person who has paid employment within the school environment. This can be as a new employee, through promotion from within the school or transfers from other schools.

Student Teachers must have applied for a WWCC prior to commencing a practicum in a Victorian Government School. Student teachers do not receive payment for undertaking a practicum; therefore, a volunteer WWCC card may be accepted.

Police records check gives information about a person's past criminal record and is only valid at the time of issue.

FURTHER INFORMATION

Further information is available from the [Department of Justice Working with Children webpage](#) or the Working with Children information line on 1300 652 879.

Forms

- The [WWCC online application](#) are available online from the Department of Justice website or at Australia Post outlets in Victoria
- [Change of name form](#)
- [Complaints form](#).

Links

- [Department of Early Childhood and Development's Suitability for Employment Policy & Procedures](#)
- [Department of Justice website](#)

Further information

- [DET Police Records Check Procedures](#)
- [Working with Children Act 2005](#)
- [General information guide](#)
- [List of exemptions](#)
- [List of occupational fields](#)
- [Applicant guide](#)
- [Interstate applicant information sheet](#)
- [Renewal information guide](#)
- [Ministers of religion information guide](#)
- [Proof of identity requirements](#)

- [Working across states and territories](#)
- [Record-keeping for organisations](#)
- [List of offences](#)
- [Legislative amendments](#)
- [Statement of expectations](#)
- [VCAT applications: factors for consideration](#)